

PATENT/Docket No. MD1080USCNT

Serial No. 10/829,430

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1850 requires that for a restriction to proper in such a case the Examiner must justify his requirement for restriction by addressing whether or not the application claims a "single general inventive concept". The applicants believe that the application does indeed claim such a "single inventive concept" and that restriction or election of species requirement is improper.

Applicants believe that the Examiner has not met his burden as required under the Treaty.

Applicants therefore respectfully request if the Examiner still believes that any restriction or election of species is proper in this case under Section 1850 that the restriction be reissued using the reasoning required under Section 1850 and that Applicants be permitted to rebut that reasoning.

CLAIM OBJECTION

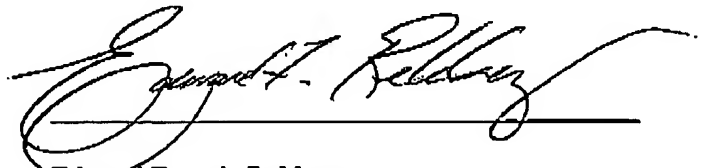
The Examiner has recognized an informality in the claims relating to claims 9 and 10.

Applicants will correct this informality in a preliminary amendment to follow shortly but would respectfully request that this response be considered as timely filed and responsive so as to avoid the expenditure of additional fees.

Respectfully submitted,

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